

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF SOUTH CAROLINA

Reggie Pringle,)	
)	C/A No. 9:07-3395-MBS
Plaintiff,)	
)	
vs.)	
)	
Captain Paster, Commander; Franklin Y.)	
Smith, Director; and Ray Nash, Sheriff)	O R D E R
Dorchester County,)	
)	
Defendants.)	
_____)	

At the time of the underlying events, Plaintiff Reggie Pringle was a pretrial detainee housed at the Dorchester County Detention Center in Sumter, South Carolina. Plaintiff, proceeding pro se, filed a complaint on October 15, 2007, alleging that his constitutional rights had been violated in various respects.

This matter is before the court on motion for summary judgment filed by Defendants on January 25, 2008. By order filed January 28, 2008, pursuant to Roseboro v. Garrison, 528 F.2d 309 (4th Cir. 1975), Plaintiff was advised of the summary judgment procedure and the possible consequences if he failed to respond adequately. Plaintiff filed no response to the motion for summary judgment. On March 5, 2008, Plaintiff was granted an addition twenty days to file a response. Plaintiff was advised that, if he failed to respond, his case would be subject to dismissal pursuant to Fed. R. Civ. P. 41(b). Plaintiff filed no response to the March 5, 2008 order.

In accordance with 28 U.S.C. § 636(b) and Local Rule 73.02, D.S.C., this matter was referred to United States Magistrate Judge George C. Kosko for pretrial handling. On March 28, 2008, the Magistrate Judge issued a Report of Magistrate Judge in which he recommended that the within

action be dismissed pursuant to Rule 41(b) for failure to prosecute. Plaintiff filed no objections to the Report of Magistrate Judge.

The Magistrate Judge makes only a recommendation to this court. The recommendation has no presumptive weight. The responsibility for making a final determination remains with this court. Mathews v. Weber, 423 U.S. 261, 270 (1976). The court is charged with making a de novo determination of any portions of the Report of Magistrate Judge to which a specific objection is made. The court may accept, reject, or modify, in whole or in part, the recommendation made by the Magistrate Judge or may recommit the matter to the Magistrate Judge with instructions. 28 U.S.C. § 636(b)(1). In the absence of objections to the Report, this court is not required to give any explanation for adopting the recommendation. Camby v. Davis, 718 F.2d 198, 199 (4th Cir. 1983).

The court has carefully reviewed the record and concurs in the recommendation of the Magistrate Judge. The court adopts the Report of Magistrate Judge and incorporates it herein by reference. The within action is dismissed with prejudice pursuant to Rule 41(b) for failure to prosecute.

IT IS SO ORDERED.

/s/ Margaret B. Seymour
United States District Judge

Columbia, South Carolina

April 24, 2008

NOTICE OF RIGHT TO APPEAL

Plaintiff is hereby notified that he has the right to appeal this order pursuant to Rules 3 and 4 of the Federal Rules of Appellate Procedure.